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Atty. Dkt. No. 051091-2001

DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I HEREBY DECLARE:

THAT my residence, post office address, and citizenship are as stated below next to my name;

THAT I believe I am the original, first, and sole inventor (if only one inventor is named below) or an original, first, and joint inventor (if plural inventors are named below or in an attached Declaration) of the subject matter which is claimed and for which a patent is sought on the invention entitled

COMPOSITIONS CONTAINING PRODRUGS OF FLORFENICOL AND METHODS OF USE

(Attorney Docket No. 051091-2001)

the specification of which (check one)

is attached hereto.

was filed on _____ as United States Application Number or PCT International Application Number Unknown and was amended on _____ (if applicable).

THAT I do not know and do not believe that the same invention was ever known or used by others in the United States of America, or was patented or described in any printed publication in any country, before I (we) invented it;

THAT I do not know and do not believe that the same invention was patented or described in any printed publication in any country, or in public use or on sale in the United States of America, for more than one year prior to the filing date of this United States application; or within six months of the filing date of this United States application;

THAT I do not know and do not believe that the same invention was first patented or made available to the public in the United States of America or elsewhere in the Americas, or was the subject of an inventor's certificate that issued in any country foreign to the United States of America or elsewhere in the Americas before the filing date of this United States application if the foreign application was filed by me (us), or by my (our) legal representatives or assigns, more than twelve months (six months for utility and design patents) prior to the filing date of this United States application;

THAT I have reviewed and understand the contents of the above-identified specification, including the claim(s), as amended by any amendment specifically referred to above;

THAT I believe that the above-identified specification contains a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the invention, and sets forth the best mode contemplated by me of carrying out the invention; and

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NO. 4475 P 5

ATM Dkt No: 05-1091-2001

THAT I acknowledge the duty to disclose to the U.S. Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

I HEREBY APPOINT the registered attorneys and agents at Customer Number 30542



30542

PATENT TRADEMARK OFFICE

to have full power to prosecute this application and any continuations, divisions, reissues, and reexaminations thereof, to receive the patent, and to transact all business in the United States Patent and Trademark Office connected therewith.

I request that all correspondence be directed to:

Richard J. Warburg
FOLEY & LARDNER
Customer Number: 30542



30542

PATENT TRADEMARK OFFICE

Telephone: (858) 847-6700
Facsimile: (858) 792-6773

I UNDERSTAND AND AGREE THAT the foregoing attorneys and agents appointed by me to prosecute this application do not personally represent me or my legal interests, but instead represent only the legal owner(s) of the invention described in this application.

I FURTHER DECLARE THAT all statements made herein of my own knowledge are true, and it is further declared that all statements made on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like so made are a criminal offense punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

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